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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/586,410	06/01/2000	Mark Clark	00 P 7661 US	6338

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Siemens Corporation  
Intellectual Property Department  
186 Wood Avenue South  
Iselin, NJ 08830

EXAMINER

NAHAR, QAMRUN

ART UNIT PAPER NUMBER

2191

DATE MAILED: 03/06/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/586,410	Applicant(s) CLARK ET AL.	
	Examiner Qamrun Nahar	Art Unit 2191	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 14 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-6,8-11,13-16 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-6,8-11,13-16 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
       Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
       Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This action is in response to the amendment filed on 11/14/2005.
2. The rejection under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. 5,230,049) in view of Bapat (U.S. 5,291,583) to claims 1, 6, 11 and 16 is moot in view of new ground(s) of rejection.
3. The rejection under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. 5,230,049) in view of Bapat (U.S. 5,291,583), and further in view of Applicant Admitted Prior Art (hereinafter AAPA) to claims 3-5, 8-10, 13-15, and 18 is moot in view of new ground(s) of rejection.
4. Claims 1, 6, 11 and 16 have been amended.
5. Claims 1, 3-6, 8-11, 13-16 and 18 are pending.
6. Claims 1, 6, 11 and 16 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. 5,230,049) in view of Bapat (U.S. 5,291,583), and further in view of Li (U.S. 6,063,133).
7. Claims 3-5, 8-10, 13-15, and 18 stand finally rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. 5,230,049) in view of Bapat (U.S. 5,291,583), further in view of Li (U.S. 6,063,133), and further in view of Applicant Admitted Prior Art (hereinafter AAPA).

### ***Response to Amendment***

### ***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 1, 6, 11 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. 5,230,049) in view of Bapat (U.S. 5,291,583), and further in view of Li (U.S. 6,063,133).

**Per Claim 1 (Amended):**

Chang teaches a system ("system" in column 2, lines 46-47 and Fig. 1), comprising: a translator adapted to translate between extended grammar constructs of a machine readable language and basic grammar constructs of said machine readable language ("pre-compiler" in column 2, lines 53-68 to column 3, lines 1-6, pre-compiler is interpreted as a translator; supplemental language is interpreted as extended grammar constructs; and host language is interpreted as basic grammar constructs), wherein a translation comprises reading a source file containing extended grammar constructs, performing a lookup table conversion of said source file of extended grammar constructs into a basic source file containing only basic grammar constructs, said translator configured to implement multiple configurable levels of precompilation (column 3, lines 1-6; column 4, lines 55-68 to column 5, lines 1-21; and see Fig. 2; Multiple configurable levels of precompilation are shown in Figure 2, i.e., "Declaration Mode" is one level, and "SQL Statement" is another level.); and a compiler coupled to receive an output of said translator for compiling code written in said basic grammar constructs, wherein said compiler generates executable code implementing a function of the extended grammar

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constructs as compiled basic grammar constructs (“The modified source file 22 can then be compiled by a host language compiler 24” in column 3, lines 13-16).

Chang does not explicitly teach that the machine readable language being ASN.1 or wherein said translation comprises a direct conversion from said source file to said basic source file. Bapat teaches that the machine readable language being ASN.1 (column 3, lines 10-16 and see Fig. 20, item 14 “ASN.1 SOURCE FILES WITH OBJECT CLASS DEFINITIONS”; ASN.1 source files contain ASN.1 grammar constructs, which is compiled into machine readable language). Li teaches wherein said translation comprises a direct conversion from said source file to said basic source file (column 3, lines 30-38).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by Chang to include the machine readable language being ASN.1 and wherein said translation comprises a direct conversion from said source file to said basic source file using the teaching of Bapat and Li. The modification would be obvious because one of ordinary skill in the art would be motivated to use standardized data structure protocol (Bapat, column 1, lines 27-38) and to parse source code without generating an intermediate file (Li, column 3, lines 20-23).

**Per Claim 6 (Amended):**

This is a method version of the claimed system discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including “a first source file” (Chang, column 2, lines 59-60), and “a second source file” (Chang, column 3, lines 3-6). Thus, accordingly, this claim is also obvious.

**Per Claim 11 (Amended):**

This is a method version of the claimed system discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

**Per Claim 16 (Amended):**

This is a computer-readable computer program product version of the claimed system discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including “wherein said computer-readable program code is adapted to directly translate said extended grammar constructs into said basic grammar constructs by using one or more lookup tables” (Li, column 3, lines 30-38). Thus, accordingly, this claim is also obvious.

10. Claims 3-5, 8-10, 13-15, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang (U.S. 5,230,049) in view of Bapat (U.S. 5,291,583), further in view of Li (U.S. 6,063,133), and further in view of Applicant Admitted Prior Art (hereinafter AAPA).

**Per Claim 3:**

The rejection of claim 1 is incorporated, and further, neither Chang, Bapat nor Li explicitly teaches that the basic grammar constructs comprises X.680 grammar constructs.

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AAPA teaches that the basic grammar constructs comprises X.680 grammar constructs (pg. 1, line 32).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by the combination of Chang, Bapat and Li to include the basic grammar constructs comprising X.680 grammar constructs using the teaching of AAPA. The modification would be obvious because one of ordinary skill in the art would be motivated to use a common basic compiler.

**Per Claim 4:**

The rejection of claim 3 is incorporated, and further, neither Chang, Bapat nor Li explicitly teaches that the extended grammar constructs comprises at least one of X.681, X.682, or X.683 grammar constructs. AAPA teaches that the extended grammar constructs comprises at least one of X.681, X.682, or X.683 grammar constructs (pg. 1, lines 27-31).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by the combination of Chang, Bapat and Li to include the extended grammar constructs comprising at least one of X.681, X.682, or X.683 grammar constructs using the teaching of AAPA. The modification would be obvious because one of ordinary skill in the art would be motivated to develop applications using other grammar constructs.

**Per Claim 5:**

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The rejection of claim 4 is incorporated, and Chang further teaches that the translator comprising one or more lookup tables (column 3, lines 1-6 and Fig. 1, item 36).

**Per Claim 8:**

This is a method version of the claimed system discussed above, claim 4, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

**Per Claim 9:**

This is a method version of the claimed system discussed above, claim 3, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

**Per Claim 10:**

This is a method version of the claimed system discussed above, claim 5, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above, including “equivalent constructs” (Chang, column 3, lines 1-6). Thus, accordingly, this claim is also obvious.

**Per Claims 13-15:**



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These are method versions of the claimed system discussed above (claims 3, 4, and 5, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

**Per Claim 18:**

This is a computer-readable computer program product version of the claimed system discussed above (claims 3 and 4), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

***Response to Arguments***

11. Applicant's arguments with respect to claims 1, 3-6, 8-11, 13-16 and 18 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

12. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

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CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

13. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



QN  
March 3, 2006



**WEI ZHEN**  
**SUPERVISORY PATENT EXAMINER**